REMARKS

Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested. Moreover, the Applicant has reviewed the Office Action of January 9, 2008, and submits that this paper is responsive to all points raised therein.

Status of the Claims

Claims 1-4, 6, 7, 10-17, 19-27, 29-33, and 49-53 are presently pending. Claims 1, 12, 22, and 31 have been amended. Support for the amendments may be found at least at, for example, Figures 3A and 4, and Paragraph [0029].

Rejections Under 35 USC 103(a)

Reconsideration is requested of the rejection of claims 1-4, 6, 7, 10-17, 19-27, 29-34, and 49-53 under §103(a) as being obvious in view of the combined teachings U.S. Patent No. 4,735,567 to Frakes in view of U.S. Patent No. 3,910,738 to Chandler.

In forming its rejection, the Patent Office relies on Frakes for teaching a compaction roller, a receiver portion, and a pivotal handle in communication with the receiver portion. The Patent Office further relies on Chandler for teaching a handle pivotally mounted to a cross bar and weight holder mechanisms extending from the cross bar. The Frakes and Chandler references can be readily distinguished from the present invention, as defined by the claims.

The combination of Frakes and Chandler fails to teach or suggest "a pivotal handle connected to the cross bar by a pivotal joint, such that the pivotal handle pivots relative to the cross bar." As shown in Figures 3B and 4 of the present application, the pivotal joint 42 connects the handle 21 to the crossbar 40 in a pivotal engagement. Since the pivotal handle can

pivot relative to the cross-bar or receiver portion, the rolling direction of the roller may easily be reversed by merely pivoting the handle to the opposite of side of the roller.

In contrast, the handle 20 of Chandler is integral with the U-shaped member 18 and its axle 16. Chandler has no pivotal joint on the leg 17. As the handle 20 of Chandler pivots, the entire structure of the handle 20 and the U-shaped member 18 pivots relative to the axle. As such, the handle 20 of Chandler does not pivot relative to the cross bar or the receiver portion, as defined by the present claims. For a least these reasons, reconsideration and withdrawal of the rejection is respectfully requested.

As recognized by the Patent Office, Chandler fails to teach or suggest multiple weight holder mechanisms extending from the cross bar. Moreover, Chandler does not place its weight 26 on opposite ends of the roller. In fact, Chandler only describes one weight holder 24, which is located in the approximate middle of the roller 14 of Chandler. There are no weight holders 24 on either end of the roller 14 of Chandler. Moreover, it would be impossible to place weight holders on opposite ends of the roller 14 of Chandler, since there is only a leg 17 on one side of the roller 14 of Chandler. As such, Chandler fails to teach or suggest a cross bar including multiple holder mechanisms for weights, the cross bar connecting the lateral members for receiving the roller. Chandler fails to teach or suggest holder mechanisms for holding separate, adjustable sets of weights for weighting opposite ends of the roller the roller in accordance with the tightness of the concrete. Chandler fails to teach or suggest isolating weights and weight holders at oppositely disposed ends of the roller. As described above, Chandler adds weights 26 only at the approximate middle of its roller 14 on a single rod 24. For a least these reasons, reconsideration and withdrawal of the rejection is respectfully requested.

Frakes fails to remedy the deficiencies of Chandler. The handle 30 of the Frakes Patent connects to the axis of rotation of the roller 18 at position 34. Instead, the present claims require "a pivotal handle connected to the cross bar by a pivotal joint, such that the pivotal handle pivots relative to the cross bar". The Patent Office relies on Frakes for the teachings of providing a pivotable handle in communication with the receiver portion. Frakes fails to teach or suggest mounting the handle to the cross bar connecting to the lateral members for receiving the roller. Frakes fails to teach or suggest a pivotal joint in the middle portion of the cross bar, a single pivotal joint, or a pivotal joint in the receiver in between the opposite ends of the receiver.

In detail, the handle 30 of Frakes is not connected to a "cross bar". Instead, the handle 30 of Frakes connects to the axis of rotation of the roller 18 at means 34 on both sides of the roller. See Figure 1. Notably, the handle 30 of Frakes is not connected to the vibration bar 37. The handle of the present invention pivots in a plane perpendicular to the rolling of the roller, which is needed in reversing the direction of the roller.

As such, Frakes fails to teach or suggest a pivotal joint in the middle portion of the cross bar/receiver, a single pivotal joint, or a pivotal joint in between the opposite ends of the receiver. For a least these reasons, reconsideration and withdrawal of the rejection is respectfully requested.

The pivotal handle of the present claims provides significant advantages. Since the pivotal handle can pivot relative to the cross-bar or receiver portion, the rolling direction of the roller may easily be reversed by merely pivoting the handle to the opposite of side of the roller. The Chandler and Frakes references require the users to physically pick up and rotate their devices, should it be desired to reverse direction. If the handle 20 of Chandler was pivoted to the opposite sides, the weights 26 would fall of the rod 24, possibly injuring the user. Further, the

positioning of the motor 38 of Frakes prevents the user from pivoting the handle over the roller 18 to reverse direction. For a least these reasons, reconsideration and withdrawal of the rejection is respectfully requested.

In conclusion, the combination of Chandler and Frakes fails to teach or suggest a pivotable handle connected to the cross bar by a pivotal joint on the cross-bar such that the pivotal handle pivots relative to the cross bar, with the pivotal joint positioned either between the weights or at a middle portion of the cross bar. The combination of Chandler and Frakes fails to teach or suggest multiple weight holder mechanisms for holding separate, adjustable sets of weights for weighting opposite ends of the roller the roller in accordance with the tightness of the concrete with the weight holders at oppositely disposed ends of the roller.

Thus, for the reasons stated above, taken collectively, the Frakes and Chandler references do not disclose, teach or suggest every element of the above-listed claims.

Respectfully submitted,

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